

## Message Text

PAGE 01 STATE 298579

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ORIGIN OES-06

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DRAFTED BY OES/APT/SEP:WAROOT:GEM

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EUR/EE:ISANDERS

L/OES:CSIEGAL

TREASURY/OASIA:ESCHWARTZ (SUBS.)

NSF:CZALAR (PARA 1)

----- 047293

O 081937Z DEC 76

FM SECSTATE WASHDC

TO AMEMBASSY WARSAW IMMEDIATE

UNCLAS STATE 298579

E.O. 11652: N/A

TAGS: TGEN, PL, US

SUBJECT: SFCP: SCIENCE PROGRAM: ARRANGEMENT ON TRAVEL  
COSTS AND PROCEDURE FOR FINANCING SUPPORT COSTS

REF: A. WARSAW 8650; B. WARSAW 8652; C. STATE 296268

1. UNDERSTAND FROM KSANDER PHONE CALL THAT POLISH SIDE  
ACCEPTED ALL CHANGES TO REF A SUGGESTED IN REF C EXCEPT  
FOR ACTUAL EXPENSES OPTION FOR MEALS, WHICH OPTION US SIDE  
AGREES TO DROP.

2. REQUEST EMBASSY INFORM FINANCE MINISTRY IN WRITING  
BEFORE AGREEMENT IS SIGNED THAT US WILL NEED FURTHER  
REVISIONS IN PER DIEM RATES IF AND WHEN THERE ARE FURTHER  
REVISIONS IN THE RATES BEING PAID TO OTHER TRAVELERS ON  
USG BUSINESS IN ORDER TO AVOID INEQUITIES WHICH WOULD  
OTHERWISE RESULT.

3. AMBASSADOR (OR CHARGE IF AMBASSADOR HAS ALREADY  
DEPARTED WARSAW) IS AUTHORIZED TO SIGN FOLLOWING LETTER,  
UNCLASSIFIED

PAGE 02 STATE 298579

ASSUMING KRZAK IS PREPARED TO SIGN INDICATED RESPONSE.  
BEGIN TEXT:

DEAR MR. MINISTER:

I HAVE THE HONOR TO REFER TO DISCUSSIONS BETWEEN OUR TWO GOVERNMENTS CONCERNING AN ARRANGEMENT ON TRAVEL COSTS AND A PROCEDURE FOR FINANCING CERTAIN SUPPORT COSTS. I UNDERSTAND THE FOLLOWING AGREEMENTS HAVE BEEN REACHED.

A. ARRANGEMENT ON TRAVEL COSTS, AS ANTICIPATED IN ARTICLE VI, PARAGRAPH 2, OF THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC ON FUNDING OF COOPERATION IN SCIENCE AND TECHNOLOGY OF OCTOBER 8, 1974.

1. INTERNATIONAL AIR FARES OF AMERICAN AND POLISH TRAVELERS AND PER DIEM AND MISCELLANEOUS TRAVEL EXPENSES OF POLISH TRAVELERS IN THE UNITED STATES SHALL BE PAID IN ACCORDANCE WITH THE PROCEDURE DESCRIBED IN THE EXCHANGE OF LETTERS OF OCTOBER 7, 1972, BETWEEN THE ASSISTANT SECRETARY OF STATE OF THE UNITED STATES OF AMERICA AND THE VICE MINISTER OF FINANCE OF THE POLISH PEOPLE'S REPUBLIC, IN SUPPORT OF PROJECTS FINANCED WHOLLY FROM UNITED STATES DEPOSITS INTO THE JOINT FUND AND IN SUPPORT OF PROJECTS FINANCED IN SIGNIFICANT PART FROM DEPOSITS MADE BY BOTH COUNTRIES INTO THE JOINT FUND.

2. THE UNITED STATES AND POLAND SHALL EXPEDITE DURING 1976 THE PROCESSING OF DOCUMENTS NEEDED TO SERVE AS THE BASIS FOR OBLIGATING UNITED STATES FUNDS FOR PROJECTS WHICH ARE NOT NOW DEPENDENT UPON POLISH DEPOSITS.

3. BOTH SIDES AGREE TO CONVERT PROJECTS FROM WHOLLY UNITED STATES FINANCING TO JOINT FINANCING AFTER 1976 IN CASES IN WHICH THE FINANCING OF AN INCREASE IN THE SCOPE OF THE PROGRAM FROM POLISH DEPOSITS INTO THE JOINT FUND IS JUSTIFIED. FOR THIS PURPOSE, BOTH SIDES AUTHORIZE THE COORDINATING INSTITUTIONS TO DETERMINE WHAT ADDITIONAL ACTIVITY TO BE FINANCED FROM THE POLISH UNCLASSIFIED

PAGE 03      STATE 298579

CONTRIBUTION IS APPROPRIATELY RELATED TO PREVIOUSLY APPROVED PROJECTS FROM WHOLLY UNITED STATES FINANCING SO AS TO QUALIFY FOR CONVERSION TO JOINT FINANCING.

4. THE ADDITIONAL REQUIREMENTS FOR INTERNATIONAL AIR FARES SHALL NOT EXCEED \$1,250,000. THE ADDITIONAL AMOUNTS FOR INTERNATIONAL AIR FARES OF AMERICAN AND POLISH TRAVELERS AND FOR PER DIEM AND MISCELLANEOUS TRAVEL EXPENSES OF POLISH TRAVELERS IN THE UNITED STATES SHALL BE OFFSET BY TRANSFERRING IDENTICAL AMOUNTS IN UNITED STATES OBLIGATIONS FOR OTHER ITEMS TO FINANCING FROM THE POLISH CONTRIBUTION.

5. CONDITIONS OF INTERNATIONAL AIR TRAVEL SHALL BE

GOVERNED BY THE LAWS AND REGULATIONS OF THE COUNTRY WHOSE CONTRIBUTION TO THE JOINT FUND IS USED TO PAY FOR THE INTERNATIONAL AIR FARES.

6. THE UNITED STATES EXCESS DESIGNATION FOR THE POLISH ZLOTY WILL EXTEND ONLY UNTIL DECEMBER 31, 1976. UNITED STATES CONTRIBUTIONS MUST BE OBLIGATED NOT LATER THAN DECEMBER 31, 1976.

7. TOTAL UNITED STATES OBLIGATIONS FOR ALL COOPERATION IN SCIENCE AND TECHNOLOGY, INCLUDING TRAVEL USES, FOR THE PERIOD JULY 1, 1973, THROUGH DECEMBER 31, 1976, WILL NOT EXCEED THE ZLOTY EQUIVALENT OF \$40.8 MILLION, PLUS THOSE PORTIONS OF AMOUNTS APPROVED FOR PROJECTS AGREED PRIOR TO JULY 1, 1973, WHICH ARE EXCESS TO THE NEEDS OF THOSE PROJECTS.

8. THE UNITED STATES SIDE INFORMS THE POLISH SIDE THAT IT HAS NO OBLIGATION AND IS NOT PREPARED TO PAY FOR ANY INTERNATIONAL TRAVEL AND TRANSPORTATION AND OTHER TRAVEL-RELATED EXPENSES FROM UNITED STATES-OWNED ZLOTYS IN POLAND OR FROM ANY OTHER SOURCE IN SUPPORT OF PROJECTS OTHERWISE FINANCED, THAT IS, WHOLLY FROM POLISH DEPOSITS IN THE JOINT FUND OR FROM DEPOSITS BY BOTH COUNTRIES WHEN THE UNITED STATES CONTRIBUTION IS NOT A SIGNIFICANT PART.

9B. PROCEDURE FOR FINANCING CERTAIN SUPPORT COSTS THROUGH THE MARIE SKLODOWSKA-CURIE JOINT FUND ESTABLISHED UNCLASSIFIED

PAGE 04 STATE 298579

BY THE AGREEMENT ON FUNDING OF COOPERATION IN SCIENCE AND TECHNOLOGY OF OCTOBER 8, 1974.

1. THE UNITED STATES COUNTERSIGNER OF THE JOINT FUND SHALL OPEN A SUBSIDIARY JOINT FUND ACCOUNT TO BE MAINTAINED IN A SEPARATE BANK ACCOUNT WHICH HE SHALL ADMINISTER, SUBJECT TO VALIDATION BY THE POLISH JOINT FUND TREASURER OF PAYMENTS FROM THE POLISH CONTRIBUTION PRIOR TO THEIR DISBURSEMENT.

2. THIS SUBSIDIARY JOINT FUND ACCOUNT SHALL BE USED TO PAY FOR THE FOLLOWING ITEMS (HEREINAFTER CALLED "SUPPORT ITEMS");

A) INTERNATIONAL AIR FARES, PER DIEM, THE COST OF OFFICIAL TRAVEL WITHIN POLAND, AND THE COST OF OFFICIAL COMMUNICATIONS FOR AMERICANS TRAVELING TO POLAND, IN SUPPORT OF ALL JOINT FUND PROJECTS WHETHER WHOLLY UNITED STATES-FINANCED, JOINTLY FINANCED, OR WHOLLY POLISH-FINANCED;

B) THE COST OF TRANSLATIONS, UNITED STATES-FINANCED; AND

C) ADMINISTRATIVE EXPENSES, UNITED STATES-FINANCED AND ASSOCIATED WITH THE IMPLEMENTATION OF JOINT FUND PROGRAMS, UPON APPROVAL BY THE JOINT BOARD OF A COST ESTIMATE FOR THESE EXPENSES.

3. THE JOINT FUND TREASURER SHALL TRANSFER TO THIS SUBSIDIARY ACCOUNT IMMEDIATELY ON RECEIPT ALL FUNDS DEPOSITED IN THE JOINT FUND FOR THESE SUPPORT ITEMS.

4. THE UNITED STATES SHALL DEPOSIT IN THE JOINT FUND ALL UNDISBURSED FUNDS FOR THESE SUPPORT ITEMS ALREADY COMMITTED BY GRANT OR CONTRACT AND WITHHELD FROM PREVIOUS DEPOSITS.

5. THE UNITED STATES SHALL DEPOSIT IN THE JOINT FUND, AT THE TIME FUTURE GRANTS OR CONTRACTS ARE AGREED TO, THE TOTAL AMOUNTS COMMITTED, WITH AN IDENTIFICATION OF THE PORTION TO BE USED FOR THESE SUPPORT ITEMS.  
UNCLASSIFIED

PAGE 05     STATE 298579

6. THE UNITED STATES SHALL COMPILE A STATEMENT SHOWING AMOUNTS PREVIOUSLY DISBURSED DIRECTLY BY THE UNITED STATES FOR THESE SUPPORT ITEMS UNDER GRANTS AND CONTRACTS CONCLUDED PURSUANT TO THE FUNDING AGREEMENT OF OCTOBER 8, 1974, AND BEING FUNDED UNDER THAT AGREEMENT.

7. THE UNITED STATES SHALL PROVIDE TO THE POLISH PEOPLE'S REPUBLIC AS SOON AS POSSIBLE A STATEMENT SHOWING FOR EACH UNITED STATES GRANT THE TOTAL AMOUNT IDENTIFIED FOR THESE SUPPORT ITEMS, THE PORTION THEREOF DISBURSED DIRECTLY BY THE UNITED STATES BEFORE THE SUBSIDIARY JOINT FUND ACCOUNT WAS ESTABLISHED, AND THE REMAINDER TO BE DISBURSED FROM THIS ACCOUNT.

8. THE POLISH PEOPLE'S REPUBLIC, IN ACCORDANCE WITH PROCEDURES ESTABLISHED IN THE OCTOBER 8, 1974, AGREEMENT, SHALL DEPOSIT IN THE JOINT FUND MATCHING AMOUNTS OF ZLOTYS EQUAL TO THE TOTAL AMOUNTS IDENTIFIED IN UNITED STATES GRANTS AND CONTRACTS SPECIFYING THE ABOVE-MENTIONED SUPPORT COSTS, THAT IS, THE SUM OF AMOUNTS REFERRED TO IN PARAGRAPHS B 4, B 5, AND B 6 ABOVE.

9. THE JOINT FUND TREASURER SHALL INCLUDE IN A FOOTNOTE TO FUTURE REPORTS ON DEPOSITS IN THE JOINT FUND THE AMOUNT DISBURSED DIRECTLY BY THE UNITED STATES PER PARAGRAPH B 6 ABOVE, IN ORDER TO INDICATE THAT UNITED STATES CONTRIBUTIONS TO BE MATCHED BY POLISH DEPOSITS IN THE JOINT FUND INCLUDE THESE DIRECT UNITED STATES

DISBURSEMENTS AS WELL AS UNITED STATES MONETARY DEPOSITS IN THE JOINT FUND.

10. THE JOINT FUND TREASURER SHALL TRANSFER FROM THE PARENT JOINT FUND ACCOUNT TO THE SUBSIDIARY JOINT FUND ACCOUNT AMOUNTS SPECIFIED FOR SUPPORT COSTS OF THE TYPES IDENTIFIED IN SUB-PARAGRAPH B 2(A) ABOVE IN GRANTS AND CONTRACTS TO BE FINANCED FROM POLISH DEPOSITS IN THE JOINT FUND, INCLUDING ADDITIONAL AMOUNTS FOR INTERNATIONAL AIR FARES FOR AMERICAN TRAVELERS REFERRED TO IN PARAGRAPH A 4 ABOVE.

UNCLASSIFIED

PAGE 06 STATE 298579

11. THE COUNTERSIGNER OF THE JOINT FUND SHALL PROVIDE QUARTERLY REPORTS TO THE TREASURER OF THE JOINT FUND, COVERING THE BALANCE IN THE SUBSIDIARY JOINT FUND ACCOUNT AND DETAILING BY PROJECT THE RECEIPTS AND DISBURSEMENTS SINCE THE LAST PREVIOUS REPORT, FOR INCLUSION IN THE TREASURER'S ACCOUNTS AND REPORTS FOR THE PARENT JOINT FUND.

12. THE COUNTERSIGNER SHALL PAY AMERICAN TRAVELERS PER DIEM TO COVER MEALS AND LODGING AT THE RATES OF 1,440 ZLOTYS FOR EACH FULL DAY PLUS 360 ZLOTYS FOR EACH ADDITIONAL SIX HOURS OR FRACTION THEREOF OF DAYS LESS THAN 24 HOURS. DAYS AND HOURS SHALL BE CALCULATED FROM THE TIME OF ARRIVAL IN POLAND UNTIL THE TIME OF DEPARTURE FROM POLAND. IN INSTANCES WHERE THE AVERAGE ACTUAL DAILY RATE FOR ALL HOTEL LODGING IN POLAND FOR A TRAVELER IS UNAVOIDABLY IN EXCESS OF 1,010 ZLOTYS, THE COUNTERSIGNER MAY PAY SUCH A TRAVELER THE DIFFERENCE BETWEEN THE ACTUAL DAILY COST OF HOTEL LODGING AND 1,010 ZLOTYS. THESE RATES MAY BE REVISED BY AGREEMENT EFFECTED BY AN EXCHANGE OF LETTERS BETWEEN THE POLISH MINISTRY OF FINANCE AND THE AMERICAN EMBASSY IN WARSAW.

13. THE COUNTERSIGNER SHALL ADVANCE TO AMERICAN TRAVELERS ON THEIR ARRIVAL IN POLAND AMOUNTS BASED ON THE RATES SET PURSUANT TO PARAGRAPH B 12 FOR THE ESTIMATED DURATION OF THE TRIP, PLUS AMOUNTS TO COVER ESTIMATED EXPENSES FOR OFFICIAL TRAVEL WITHIN POLAND AND FOR OFFICIAL COMMUNICATIONS NECESSARY FOR THE IMPLEMENTATION OF THE COOPERATIVE PROJECT. AFTER TRIPS ARE CONCLUDED, AMERICAN TRAVELERS SHALL SUBMIT ITEMIZED ACCOUNTINGS OF ACTUAL EXPENSES AND RETURN UNUSED BALANCES OF FUNDS ADVANCED. FOR THIS PURPOSE, "ACTUAL EXPENSES" MEANS PER DIEM FOR THE ACTUAL DURATION OF THE TRIP OF THE AMERICAN TRAVELER IN POLAND, COMPUTED IN ACCORDANCE WITH PARAGRAPH B 12, PLUS AMOUNTS ACTUALLY SPENT FOR OFFICIAL TRAVEL WITHIN POLAND AND FOR OFFICIAL

COMMUNICATIONS. AMOUNTS FOR TRAVEL AND COMMUNICATIONS AND FOR HOTEL LODGING WHERE THE OPTION OF ACTUAL COST OF

UNCLASSIFIED

PAGE 07 STATE 298579

HOTEL LODGING IS USED SHALL BE EVIDENCED BY RECEIPTS  
WHERE FEASIBLE.

14. THE COUNTERSIGNER SHALL, FOR EACH PROJECT, RETURN TO  
THE PARENT JOINT FUND ANY BALANCES WHICH THE SIGNATORIES  
TO THE PROJECT AGREEMENT DETERMINE TO BE NO LONGER  
NEEDED FOR THESE SUPPORT COSTS, SUCH BALANCES THEREBY  
BECOMING AVAILABLE FOR OTHER PURPOSES OF THE PROJECT OR  
FOR OTHER USE IN ACCORDANCE WITH PARAGRAPH 9 (D) OF THE  
"PRINCIPLES GOVERNING JOINT UNITED STATES-POLISH  
RESEARCH AGREEMENTS FINANCED BY THE MARIE SKLODOWSKA-  
CURIE FUND."

I HAVE THE HONOR TO PROPOSE THAT PARAGRAPHS A 1 THROUGH  
A 5 AND PART B OF THIS LETTER AND YOUR REPLY SHALL  
CONSTITUTE AN AGREEMENT BETWEEN OUR TWO GOVERNMENTS,  
WHICH SHALL TAKE EFFECT FROM THE DATE ON WHICH THEY ARE  
SIGNED, AND TO BRING TO YOUR ATTENTION THE STATEMENTS  
OF THE UNITED STATES IN PARAGRAPHS A 6 THROUGH A 8.

ACCEPT, MR. MINISTER, THE RENEWED ASSURANCES OF MY  
HIGHEST CONSIDERATION.

DEAR MR. AMBASSADOR:

I HAVE THE HONOR TO CONFIRM THE RECEIPT OF YOUR LETTER  
DATED -----, 1976, WHICH READS AS FOLLOWS:  
(REPEAT THE PRECEDING TEXT.)

ON BEHALF OF MY GOVERNMENT, I HAVE THE HONOR TO CONFIRM  
THE UNDERSTANDINGS SET FORTH IN PARAGRAPHS A 1 THROUGH  
A 5 AND PART B OF THE AFORESAID LETTER AND TO TAKE NOTE  
OF THE STATEMENTS OF THE UNITED STATES SET FORTH IN  
PARAGRAPHS A 6 THROUGH A 8.

ACCEPT, SIR, THE RENEWED ASSURANCES OF MY HIGHEST  
CONSIDERATION. END TEXT.

4. THE ABOVE TEXT IS BASED ON REF A AS AMENDED BY REF C  
WITH THE FOLLOWING FURTHER CHANGES:

UNCLASSIFIED

PAGE 08 STATE 298579

A4. IN SECOND SENTENCE CHANGE "AIR FARES" TO  
"INTERNATIONAL AIR FARES OF AMERICAN AND POLISH  
TRAVELERS" TO MAKE THIS CONSISTENT WITH A1 AND REMOVE  
AMBIGUITY WHETHER AIR FARES OF AMERICAN TRAVELERS ALSO  
COVERED. CHANGE "LIKE" TO "IDENTICAL".

A5. INSERT "INTERNATIONAL AIR" BEFORE "TRAVEL" TO BE MORE SPECIFIC AS TO THE SUBJECT MATTER OF THE LAWS AND REGULATIONS WHICH WILL APPLY. FOR INSTANCE, A5 DOES NOT APPLY TO PER DIEM REGULATIONS.

B1. CHANGE "U.S." TO "UNITED STATES"; CHANGE "SUBJECT TO COUNTERSIGNING BY THE POLISH JOINT FUND TREASURER FOR DISBURSEMENTS FROM THE POLISH CONTRIBUTION" TO "SUBJECT TO VALIDATION BY THE POLISH JOINT FUND TREASURER OF PAYMENTS FROM THE POLISH CONTRIBUTION PRIOR TO THEIR DISBURSEMENT" TO REFLECT KSANDER DECEMBER 8 TELCON NOTIFICATION OF A NEW POLISH PROPOSAL.

B2(C). DELETE "POSSIBLE", BECAUSE "UPON APPROVAL OF THE JOINT BOARD" MAKES THE WORD "POSSIBLE" REDUNDANT.

B4. DELETE "IMMEDIATELY" FOR CONSISTENCY WITH POLISH DELETION OF "IMMEDIATELY" FROM B1 AND OF "PROMPTLY" FROM B8.

B8. CHANGE "PROJECT AGREEMENTS" TO "CONTRACTS" FOR CONSISTENCY WITH B4, B5, AND B6.

B12. WITHDRAWAL OF SUGGESTION IN REF C TO SUBSTITUTE "IN LIEU OF PER DIEM AN AMOUNT EQUAL TO THE ACTUAL COST OF HOTEL LODGING AND THE ACTUAL COST OF MEALS FOR THE ENTIRE SOJOURN IN POLAND" FOR "THE DIFFERENCE BETWEEN THE ACTUAL DAILY COST OF HOTEL LODGING AND 1,010 ZLOTYS" BECAUSE OF KSANDER DECEMBER 7 TELCON NOTIFICATION THAT POLES CANNOT ACCEPT ACTUAL EXPENSE OPTION FOR MEALS.

B13. WITHDRAWAL OF REF C SUGGESTION TO INSERT "AND MEALS" TWICE AFTER "LODGING". ROBINSON

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<< END OF DOCUMENT >>

## Message Attributes

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